



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 22 2017

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Lee Nadler, President
Lakeside Lithography, LLC
1600 South Laflin St
Chicago, Illinois 60608

Re: Notice of Violation/Finding of Violation
Lakeside Lithography
Chicago, Illinois

Dear Mr. Nadler:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation and Finding of Violation (NOV/FOV) to Lakeside Lithography, LLC (you) under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). We find that you are violating the Illinois State Implementation Plan at your Chicago, Illinois lithographic printing and coating facility. We also find that you are violating Title V of the Clean Air Act (CAA), 42 U.S.C. § 7661 *et seq.*, and the applicable implementing regulations at your Chicago, Illinois facility.

Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV/FOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Jason Schenandoah. You may call him at (312) 886-9506 or email at schenandoah.jason@epa.gov to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



Edward Nam
Director
Air and Radiation Division

Enclosure

cc: Julie Armitage, Chief
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue
East Springfield, Illinois 62794

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Lakeside Lithography, LLC
Chicago, Illinois**

Proceedings Pursuant to
the Clean Air Act,
42 U.S.C. §§ 7401 et seq.

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) **NOTICE OF VIOLATION AND
FINDING OF VIOLATION**
) **EPA-5-18-IL-4**
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NOTICE OF VIOLATION AND FINDING OF VIOLATION

The U.S. Environmental Protection Agency finds that Lakeside Lithography, LLC (Lakeside) is violating the Clean Air Act, 42 U.S.C. § 7401 *et seq.* (the CAA). Specifically, Lakeside is violating Title V of the CAA and the implementing regulations at 40 C.F.R. Part 70, and the Illinois State Implementation Plan (SIP) as follows:

Statutory and Regulatory Authority

1. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), provides that it is unlawful for any person to, among other things, operate a major source subject to Title V except in compliance with a Title V permit after the effective date of any permit program approved or promulgated under Title V of the CAA.
2. Section 502(d) of the CAA, 42 U.S.C. § 7661a(d), provides that each state must submit to the EPA a permit program meeting the requirements of Title V.
3. Pursuant to Section 502(b) of the CAA, 42 U.S.C. § 7661a(b), EPA promulgated regulations establishing the minimum elements of a Title V permit program to be administered by any air pollution control agency. See 57 Fed. Reg. 32,295 (July 21, 1992). Those regulations are codified at 40 C.F.R. Part 70.
4. On December 4, 2001, EPA granted full approval to Illinois' CAA Title V permit program, set forth at 415 Illinois Compiled Statutes (ILCS) 5/39.5. See 66 *Fed. Reg.* 62946 and 415 ILCS 5/39.5(3). This includes 415 ILCS 5/39.5(1.1).
5. 40 C.F.R. § 70.7(b) provides that no Title V source may operate after the time that it is required to submit a timely and complete application except in compliance with a Title V permit issued under an approved permit program. See also 415 ILCS 5/39.5(5).
6. 40 C.F.R. § 70.2 defines "major source," in part, as any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, in the aggregate, 10 tons per year (tpy) or more of

any hazardous air pollutant (HAP) which has been listed pursuant to section 112(b) of the CAA. See also 415 ILCS 5/39.5(2)(c)(i)(a).

7. Section 112(a)(6) of the CAA at 42 U.S.C. § 7412(a)(6), states that "The term 'hazardous air pollutant' means any air pollutant listed pursuant to subsection (b)."
8. "Xylene" is a Volatile Organic Compound (VOC) that has been listed as a hazardous air pollutant, pursuant to Section 112(b) of the CAA, 42 U.S.C. § 7412(b).
9. 40 C.F.R. § 70.2 defines "potential to emit" as the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is enforceable by EPA. See also 415 ILCS 5/39.5(1).
10. Section 503 of the CAA, 42 U.S.C. § 7661b and 40 C.F.R. § 70.5(a) set forth the requirement to submit a timely, accurate, and complete permit application for a permit, including information required to be submitted with the application. See also 415 ILCS 5/39.5(5).
11. Section 110 of the CAA, 42 U.S.C. § 7410, requires each state to adopt and submit a plan which provides for the implementation, maintenance, and enforcement of any national primary or secondary standard established pursuant to Section 109 of the CAA, 42 U.S.C. § 7409. These plans are required to include enforceable emissions limitations, control measure, schedules for compliance, emissions monitoring requirements and permit programs for new and modified sources.
12. 40 C.F.R. § 52.23 provides that failure to comply with any approved regulatory provision of a State Implementation Plan (SIP) or with any permit limitation or condition contained within an operating permit issued under an EPA-approved program that is incorporated into the SIP, shall render the person failing to comply in violation of a requirement of an applicable implementation plan and subject to enforcement action under Section 113 of the CAA.
13. On May 31, 1972, EPA approved 35 Ill. Admin. Code (IAC) §§ 201.102 and 201.141 as part of the federally enforceable SIP for Illinois. 37 *Fed. Reg.* 10862
14. 35 IAC § 201.141 states that "no person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as, either alone or in combination with contaminants from other sources, to cause or tend to cause air pollution in Illinois, or so as to violate the provisions of this Chapter, or so as to prevent the attainment or maintenance of any applicable ambient air quality standard."
15. 35 IAC § 201.102 defines air pollution as "the presence in the atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration

as to be injurious to human, plant or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property.”

Findings

16. Lakeside owns and operates a lithographic printing and coating facility at 1600 South Laflin Street, Chicago, Illinois (the Facility).
17. Two coating lines are operated at the Facility that each use permanent total enclosures that capture emissions from the coating lines.
18. Each coating line has a catalytic oxidizer to which emissions are routed.
19. EPA inspected the Facility on July 20, 2017 (the Inspection).
20. During the Inspection, EPA noted a solvent-type odor outside of the Facility before entering the building.
21. During the Inspection, EPA requested records regarding operations at the Facility to be sent to EPA electronically.
22. Lakeside requested that EPA make this request by email. EPA sent this email on July 21, 2017.
23. On August 16, 2017, EPA received a flash drive from Lakeside containing requested records.
24. EPA has reviewed the records obtained on August 16, 2017. These records show that the Facility has a potential to emit of more than 10 tons of xylene. The Facility is, therefore, a “major source,” as defined in 40 C.F.R. § 70.2. See also 415 ILCS 5/39.5(2)(c)(i)(a).
25. The Illinois Environmental Protection Agency (IEPA) issued Lakeside Lithography a “lifetime operating permit,” I.D. No. 031600AWL, on December 11, 2002. The permit was revised and amended on May 29, 2007. The permit required that the air temperature before the combustion chamber of the catalytic oxidizer be at least 625 °F before operation of and throughout the coating process.
26. The records obtained on August 16, 2017 show that, on occasion, the air temperature before the combustion chamber of the catalytic oxidizer was below 625 °F while the coating process was in operation. When operating the catalytic oxidizer at temperatures lower than recommended, incomplete combustion can occur, which will result in increased emissions of VOCs.
27. EPA has received numerous complaints regarding odors around the Facility. In some cases, the complaining parties have asserted that these odors are causing headaches.

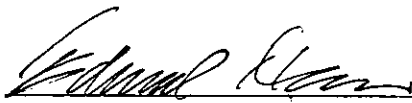
Violations

28. Lakeside failed to submit a timely Title V permit application to IEPA, in violation of Section 503 of the CAA, 42 U.S.C. § 7661b, and 40 C.F.R. § 70.5(a). See also 415 ILCS 5/39.5(5).
29. From October 22, 2002 to the present, Lakeside has operated and continues to operate a major source of HAP without a Title V permit issued by IEPA, in violation Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 70.7(b). See also 415 ILCS 5/39.5(5).
30. Lakeside has allowed the discharge of emissions from the Facility that have caused air pollution (as defined in 35 IAC § 201.102), in violation of 35 IAC § 201.141 of the Illinois SIP.

Environmental Impacts of Violations

31. People exposed to HAPs at sufficient concentrations and durations may have an increased chance of getting cancer or experiencing other serious health effects. These health effects can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory and other health problems.

12/22/17
Date



Edward Nam
Director
Air and Radiation Division

CERTIFICATE OF MAILING

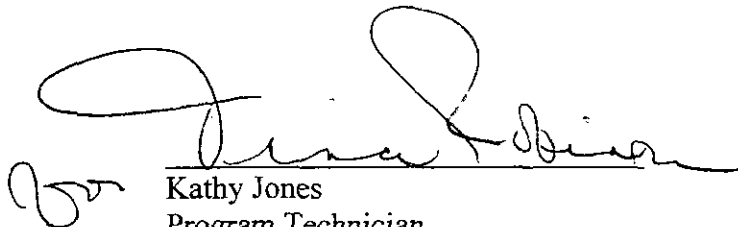
I certify that I sent a Finding of Violation, No. EPA-5-18-IL-4, by Certified Mail, Return Receipt Requested, to:

Lee Nadler, President
Lakeside Lithography, LLC
1600 South Laflin St.
Chicago, Illinois 60608

I also certify that I sent copies of the Finding of Violation by first-class mail to:

Julie Armitage, Chief
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue
East Springfield, Illinois 62794

On the 27th day of December 2017


Kathy Jones
Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 70091680000076606868